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**UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PENDLETON DIVISION**

**GREATER HELLS CANYON COUNCIL,
OREGON WILD, CENTRAL OREGON
LANDWATCH, SIERRA CLUB, GREAT
OLD BROADS FOR WILDERNESS, and
WILDEARTH GUARDIANS,**

Plaintiffs,

v.

HOMER WILKES, in his official capacity as
Undersecretary for Natural Resources and
Environment; **GLENN CASAMASSA**, in his
capacity as Regional Forester for Region 6; and
the **UNITED STATES FOREST SERVICE**,

Defendants,

**AMERICAN FOREST
RESOURCE COUNCIL**, and
**EASTERN OREGON COUNTIES
ASSOCIATION**,

Defendants-Intervenors.

Case No. 2:22-cv-00859-HL

**DECLARATION OF
MERIEL DARZEN**

I, Meriel Darzen, declare as follows:

1. My name is Meriel Darzen. I am counsel for Plaintiffs in this matter.
2. On November 14, 2022, during conferral over the contents of the administrative record, Hayley Carpenter, counsel for Defendants, sent me an email stating the following: “[Professor] Johnston was a consultant for the Forest Service when [his comments on the draft EA] were created. The comments are deliberative and not part of the Record.” A true and correct copy of the email is attached hereto as Exhibit 1.
3. Plaintiffs responded that they disagreed with the assertion of deliberative process and requested that any documentation of Professor Johnston’s contract as a consultant should be added to the record.
4. Ultimately, some emails documenting Professor Johnston’s consultant relationship to the Forest Service were included in the revised administrative record. The agency did not include his comments on the draft EA, indicating to me that they continue to assert deliberative process over those documents.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. Executed this 20th day of February, 2023, in Portland, Oregon.



Meriel Darzen